

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ALI ABDULQAWI ABDO ALGHAITHI,
Plaintiff,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY and LYNN Q. FELDMAN,
Defendants.

Case No. 1:21-cv-00059-AWI-SKO

**ORDER ADOPTING FINDINGS AND
RECOMMENDATION THAT THE
ACTION BE DISMISSED WITH
PREJUDICE FOR PLAINTIFF'S
FAILURE TO COMPLY WITH THE
COURT'S ORDERS AND FOR
FAILURE TO PROSECUTE**

(Doc. No. 7)

Plaintiff Ali Abdulqawi Abdo Alghaithi is proceeding *pro se* and *in forma pauperis* in this action for judicial review of the denial of his naturalization application. On April 19, 2021, the assigned magistrate judge issued an order finding that Plaintiff's complaint failed to state any cognizable claims and granting twenty-one days leave for Plaintiff to file an amended complaint. (Doc. No. 5.) On May 25, 2021, after Plaintiff failed to file an amended complaint by the deadline, the assigned magistrate judge ordered Plaintiff to show cause ("OSC") why the action should not be dismissed for his failure to comply with the court's screening order and for failure to prosecute this case. (Doc. No. 6.) Plaintiff was warned in both the screening order and the OSC that the failure to comply with the court's order would result in a recommendation of dismissal to the presiding district judge. (*See* Doc. Nos. 5, 6.)

On July 1, 2021, the assigned magistrate judge issued findings and recommended that the case be dismissed with prejudice for Plaintiff's failure to comply with the court's orders and for failure to prosecute this action. (Doc. No. 7.) Plaintiff was granted twenty-one days in which to file objections to the findings and recommendation. (*Id.*) No objections have been filed, and the time to do so has passed.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
2 *de novo* review of the case. Having carefully reviewed the entire file, the court finds that the
3 findings and recommendation are supported by the record and proper analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The findings and recommendation issued July 1, 2021 (Doc. No. 7) are adopted in full;
- 6 2. This action is dismissed with prejudice based on Plaintiff's failure to obey court orders
7 and failure to prosecute this action; and
- 8 3. The Clerk of Court is directed to close this case.

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10 IT IS SO ORDERED.

11 Dated: August 5, 2021



12 SENIOR DISTRICT JUDGE
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